

7

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

D-1 BLAIR A. LANGSTON,

Defendant.

08-20505

Judge: Avern Cohn

MJ: Komives, Paul

Filed: 11-25-08 @ 4:32 PM

INDI USA V SEALED MATTER (DA)

18 U.S.C. §§ 1029(a)(2)
and (b)(1)

(Use and Attempted Use of an
Unauthorized Access Device)

18 U.S.C. §§ 1028A(a)(1)
(Aggravated Identity Theft)

INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At times relevant to this Indictment, in the Eastern District of Michigan,
Southern Division, and elsewhere:

1. Trevor C., an innocent third party with no connection to defendant BLAIR A. LANGSTON, held a charge account with American Express (AMEX), a corporation doing business in the Eastern District of Michigan.
2. In or about March 2007, defendant LANGSTON contacted AMEX and provided personal information regarding Trevor C., which caused AMEX to issue at least three additional charge cards in Trevor C.'s name and the name of

Trevor C.'s spouse (the unauthorized charge cards), and mail the cards to an address to which defendant LANGSTON or a confederate had access.

3. From March 2007 through April 2007, defendant LANGSTON used the unauthorized charge cards to purchase from various retail merchants (the merchants), numerous items and services including jewelry, retail store gift cards, and electronic devices.

4. Defendant LANGSTON opened an AMEX merchant account in the name of "Exclusive Recordings," a business defendant, as the owner, had previously registered with the City of Detroit, Michigan. Thereafter, in April 2007, defendant LANGSTON fraudulently attempted to seek reimbursement from AMEX for an aggregate of at least \$124,500.00 in fictitious purchases defendant LANGSTON claimed were made from Exclusive Recordings using one of the unauthorized charge cards.

5. As the result of the acts described above, defendant obtained or attempted to obtain from AMEX and the merchants, items, services, and cash reimbursements of an aggregate value exceeding \$260,000.00.

COUNTS ONE through FIVE

18 U.S.C. §1029(a)(2)

Unauthorized Use of an Access Device

D-1 BLAIR A. LANGSTON

6. The allegations of all preceding paragraphs are realleged for this count.

7. Beginning in March 2007, and continuing through April 2007, this

time period being approximate, in the Eastern District of Michigan, defendant BLAIR A. LANGSTON did knowingly and with the intent to defraud, use one or more unauthorized access devices during a one-year period, and by such conduct did obtain things of value which totaled \$1,000.00 or more during that period; that is, LANGSTON did, without authorization, use an American Express charge account number assigned to Trevor C. to purchase more than \$1,000.00 in goods and services from the following retail merchants on the below designated dates, with each date constituting a separate count of this Indictment:

<u>Count</u>	<u>Date</u>	<u>Merchant</u>	<u>Purchase Amount</u>	<u>Card No.</u>
1.	3/24/07	Best Buy, Roseville MI	\$ 3,624	XXX5001
2.	3/25/07	Hutch's Jewelry, Dearborn MI	\$13,000	XXX5001
3.	3/26/07	Aires Jewelry, Los Angles CA	\$26,600	XXX5001
4.	3/26/07	Macy's, Mason, OH	\$12,000	XXX5001
5.	4/10/07	Radio Shack	\$ 2,331	XXX2003

All in violation of Title 18, United States Code, Section 1029(a)(2).

COUNTS SIX through NINE
18 U.S.C. §§1029(a)(2) and (b)(1)
Attempted Unauthorized Use of an Access Device
D-1 BLAIR A. LANGSTON

8. The allegations of all preceding paragraphs are realleged for this count.
9. In or about April 2007, in the Eastern District of Michigan, defendant

BLAIR A. LANGSTON did knowingly and with the intent to defraud, use one or more unauthorized access devices during a one-year period, and by such conduct did attempt to obtain things of value which totaled \$1,000.00 or more during that period; that is, LANGSTON did, without authorization, use an American Express charge account number assigned to Trevor C. to submit to American Express fraudulent claims by "Exclusive Recordings," a business owned by defendant, for fictitious purchases made using the charge account number for more than \$1,000.00 in goods and services. Each claim, set forth below, constitutes a separate count of this Indictment:

<u>Count</u>	<u>Date</u>	<u>Merchant</u>	<u>Claimed Purchase Amount</u>	<u>Card No.</u>
6.	4/5/07	Exclusive Recordings	\$ 2,500	XXX2003
7.	4/7/07	Exclusive Recordings	\$50,000	XXX2003
8.	4/7/07	Exclusive Recordings	\$65,000	XXX2003
9.	4/10/07	Exclusive Recordings	\$ 7,000	XXX2003

All in violation of Title 18, United States Code, Sections 1029(a)(2) and (b)(1).

COUNT TEN
18 U.S.C. §§1028A(a)(1)
Aggravated Identity Theft
D-1 BLAIR A. LANGSTON

10. The allegations of all preceding paragraphs are realleged for this count.

11. On or about March 23, 2007, in the Eastern District of Michigan, defendant BLAIR A. LANGSTON, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, that is, the name of Trevor C., during and in relation to a felony violation relating to fraud and false statements, that is, Use of an Unauthorized Access Device, as charged in Counts One through Four, set forth above.

All in violation of Title 18, United States Code, Section 1028A.

COUNT ELEVEN
18 U.S.C. §§1028A(a)(1)
Aggravated Identity Theft
D-1 BLAIR A. LANGSTON

12. The allegations of all preceding paragraphs are realleged for this count.

13. On or about March 30, 2007, in the Eastern District of Michigan, defendant BLAIR A. LANGSTON, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, that is, the name of Trevor C., during and in relation to a felony violation relating to fraud and false statements, that is, Use and Attempted Use of an Unauthorized Access

Device, as charged in Counts Five through Eight, set forth above.

All in violation of Title 18, United States Code, Section 1028A.

THIS IS A TRUE BILL

s/Grand Jury Foreperson
Grand Jury Foreperson

Dated:

TERRENCE BERG
Acting United States Attorney

s/Paul Burakoff
PAUL BURAKOFF
Assistant United States Attorney
211 W. Fort Street, Ste. 2001
Detroit, Michigan 48226
(313) 226-9631
Paul.Burakoff@usdoj.gov
P28212

Dated: November 25, 2008

United States District Court
Eastern District of Michigan

Criminal Case

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to

08-20505

Judge: Avern Cohn

MJ: Komives, Paul

Filed: 11-25-08 @ 4:32 PM

INDI USA V SEALED MATTER (DA)

Companion Case Information

This may be a companion case based upon LCrR 57.10 (b)(4)¹:

Companion Case Number:

Judge Assigned:

Yes

No

AUSA's Initials:

Case Title: USA v. Blair A. Langston

County where offense occurred : Wayne County

Check One: **Felony** **Misdemeanor** **Petty**

Indictment/ Information --- no prior complaint.

Indictment/ Information --- based upon prior information [Case number: 08-20505]

Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ **Judge:** _____

- Original case was terminated; no additional charges or defendants.
- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

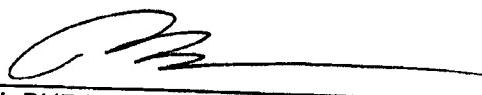
Defendant name

Charges

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

November 25, 2008

Date



PAUL BURAKOFF

Assistant United States Attorney

211 W. Fort Street, Suite 2001

Detroit, MI 48226-3277

Phone: (313) 226-9631

Fax: (313) 226-2873

E-Mail address: Paul.Burakoff@usdoj.gov

Attorney Bar #: P28212